



Senate

General Assembly

January Session, 2013

File No. 541

Senate Bill No. 1065

Senate, April 17, 2013

The Committee on Public Health reported through SEN. GERRATANA of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING LICENSED ALCOHOL AND DRUG COUNSELORS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-74s of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) For purposes of this section and subdivision (18) of subsection (c)
4 of section 19a-14:

5 (1) "Commissioner" means the Commissioner of Public Health;

6 (2) "Licensed alcohol and drug counselor" means a person licensed
7 under the provisions of this section;

8 (3) "Certified alcohol and drug counselor" means a person certified
9 under the provisions of this section;

10 (4) "Practice of alcohol and drug counseling" means the professional
11 application of methods that assist an individual or group to develop an

12 understanding of alcohol and drug dependency problems, define
13 goals, and plan action reflecting the individual's or group's interest,
14 abilities and needs as affected by alcohol and drug dependency
15 problems;

16 (5) "Private practice of alcohol and drug counseling" means the
17 independent practice of alcohol and drug counseling by a licensed or
18 certified alcohol and drug counselor who is self-employed on a full-
19 time or part-time basis and who is responsible for that independent
20 practice;

21 (6) "Self-help group" means a voluntary group of persons who offer
22 peer support to each other in recovering from an addiction; and

23 (7) "Supervision" means the regular on-site observation of the
24 functions and activities of an alcohol and drug counselor in the
25 performance of his or her duties and responsibilities to include a
26 review of the records, reports, treatment plans or recommendations
27 with respect to an individual or group.

28 (b) Except as provided in subsections (s) to (x), inclusive, of this
29 section, no person shall engage in the practice of alcohol and drug
30 counseling unless licensed as a licensed alcohol and drug counselor
31 pursuant to subsection (d) of this section or certified as a certified
32 alcohol and drug counselor pursuant to subsection (e) of this section.

33 (c) Except as provided in subsections (s) to (x), inclusive, of this
34 section, no person shall engage in the private practice of alcohol and
35 drug counseling unless (1) licensed as a licensed alcohol and drug
36 counselor pursuant to subsection (d) of this section, or (2) certified as a
37 certified alcohol and drug counselor pursuant to subsection (e) of this
38 section and practicing under the supervision of a licensed alcohol and
39 drug counselor.

40 (d) To be eligible for licensure as a licensed alcohol and drug
41 counselor, an applicant shall (1) have attained a master's degree from
42 an accredited institution of higher education and have completed a

43 minimum of eighteen graduate semester hours in counseling or
44 counseling-related subjects at an accredited institution of higher
45 education, except that applicants holding certified clinical supervisor
46 status by the Connecticut Certification Board, Inc. as of October 1,
47 1998, may substitute such certification in lieu of the master's degree
48 requirement and graduate coursework requirement, and (2) have
49 completed the certification eligibility requirements described in
50 [subdivisions (1), (2) and (4) of] subsection (e) of this section.

51 (e) To be eligible for certification by the Department of Public
52 Health as a certified alcohol and drug counselor, an applicant shall
53 have (1) completed three hundred hours of supervised practical
54 training in alcohol and drug counseling that the commissioner deems
55 acceptable; (2) completed three years of supervised paid work
56 experience or unpaid internship that the commissioner deems
57 acceptable that entailed working directly with alcohol and drug clients,
58 except that a master's degree may be substituted for one year of such
59 experience; (3) completed three hundred sixty hours of commissioner-
60 approved education, at least two hundred forty hours of which relates
61 to the knowledge and skill base associated with the practice of alcohol
62 and drug counseling; and (4) successfully completed a department
63 prescribed examination.

64 (f) For individuals applying for certification as an alcohol and drug
65 counselor by the Department of Public Health prior to October 1, 1998,
66 current certification by the Department of Mental Health and
67 Addiction Services may be substituted for the certification
68 requirements of subsection (e) of this section.

69 (g) The commissioner shall grant a license as an alcohol and drug
70 counselor to any applicant who furnishes satisfactory evidence that he
71 has met the requirements of subsection (d) or (o) of this section. The
72 commissioner shall develop and provide application forms. The
73 application fee shall be one hundred ninety dollars.

74 (h) A license as an alcohol and drug counselor shall be renewed in
75 accordance with the provisions of section 19a-88 for a fee of one

76 hundred ninety dollars.

77 (i) The commissioner shall grant certification as a certified alcohol
78 and drug counselor to any applicant who furnishes satisfactory
79 evidence that he has met the requirements of subsection (e) or (o) of
80 this section. The commissioner shall develop and provide application
81 forms. The application fee shall be one hundred ninety dollars.

82 (j) A certificate as an alcohol and drug counselor may be renewed in
83 accordance with the provisions of section 19a-88 for a fee of one
84 hundred ninety dollars.

85 (k) The commissioner may contract with a qualified private
86 organization for services that include (1) providing verification that
87 applicants for licensure or certification have met the education,
88 training and work experience requirements under this section; and (2)
89 any other services that the commissioner may deem necessary.

90 (l) Any person who has attained a master's level degree and is
91 certified by the Connecticut Certification Board as a substance abuse
92 counselor on or before July 1, 2000, shall be deemed a licensed alcohol
93 and drug counselor. Any person so deemed shall renew his license
94 pursuant to section 19a-88 for a fee of one hundred ninety dollars.

95 (m) Any person who has not attained a master's level degree and is
96 certified by the Connecticut Certification Board as a substance abuse
97 counselor on or before July 1, 2000, shall be deemed a certified alcohol
98 and drug counselor. Any person so deemed shall renew his
99 certification pursuant to section 19a-88 for a fee of one hundred ninety
100 dollars.

101 (n) Any person who is not certified by the Connecticut Certification
102 Board as a substance abuse counselor on or before July 1, 2000, who (1)
103 documents to the department that he has a minimum of five years full-
104 time or eight years part-time paid work experience, under supervision,
105 as an alcohol and drug counselor, and (2) successfully passes a
106 commissioner-approved examination no later than July 1, 2000, shall

107 be deemed a certified alcohol and drug counselor. Any person so
108 deemed shall renew his certification pursuant to section 19a-88 for a
109 fee of one hundred ninety dollars.

110 (o) The commissioner may license or certify without examination
111 any applicant who, at the time of application, is licensed or certified by
112 a governmental agency or private organization located in another
113 state, territory or jurisdiction whose standards, in the opinion of the
114 commissioner, are substantially similar to, or higher than, those of this
115 state.

116 (p) No person shall assume, represent himself as, or use the title or
117 designation "alcoholism counselor", "alcohol counselor", "alcohol and
118 drug counselor", "alcoholism and drug counselor", "licensed clinical
119 alcohol and drug counselor", "licensed alcohol and drug counselor",
120 "licensed associate alcohol and drug counselor", "certified alcohol and
121 drug counselor", "chemical dependency counselor", "chemical
122 dependency supervisor" or any of the abbreviations for such titles,
123 unless licensed or certified under subsections (g) to (n), inclusive, of
124 this section and unless the title or designation corresponds to the
125 license or certification held.

126 (q) The commissioner shall adopt regulations, in accordance with
127 chapter 54, to implement provisions of this section.

128 (r) The commissioner may suspend, revoke or refuse to issue a
129 license in circumstances that have endangered or are likely to
130 endanger the health, welfare or safety of the public.

131 (s) Nothing in this section shall be construed to apply to the
132 activities and services of a rabbi, priest, minister, Christian Science
133 practitioner or clergyman of any religious denomination or sect, when
134 engaging in activities that are within the scope of the performance of
135 the person's regular or specialized ministerial duties and for which no
136 separate charge is made, or when these activities are performed, with
137 or without charge, for or under the auspices or sponsorship,
138 individually or in conjunction with others, of an established and

139 legally cognizable church, denomination or sect, and when the person
140 rendering services remains accountable to the established authority
141 thereof.

142 (t) Nothing in this section shall be construed to apply to the
143 activities and services of a person licensed in this state to practice
144 medicine and surgery, psychology, marital and family therapy, clinical
145 social work, professional counseling, advanced practice registered
146 nursing or registered nursing, when such person is acting within the
147 scope of the person's license and doing work of a nature consistent
148 with that person's license, provided the person does not hold himself
149 or herself out to the public as possessing a license or certification
150 issued pursuant to this section.

151 (u) Nothing in this section shall be construed to apply to the
152 activities and services of a student intern or trainee in alcohol and drug
153 counseling who is pursuing a course of study in an accredited
154 institution of higher education or training course, provided these
155 activities are performed under supervision and constitute a part of an
156 accredited course of study, and provided further the person is
157 designated as an intern or trainee or other such title indicating the
158 training status appropriate to his level of training.

159 (v) Nothing in this section shall apply to individuals who are on
160 October 1, 2010, employed by a state agency as a rehabilitation
161 counselor who is acting in the capacity of an alcohol and drug
162 counselor.

163 (w) Nothing in this section shall be construed to apply to the
164 activities and services of paid alcohol and drug counselors who are
165 working under supervision or uncompensated alcohol and drug abuse
166 self-help groups, including, but not limited to, Alcoholics Anonymous
167 and Narcotics Anonymous.

168 (x) The provisions of this section shall apply to employees of the
169 Department of Correction, other than trainees or student interns
170 covered under subsection (u) of this section and persons completing

171 supervised paid work experience in order to satisfy mandated clinical
172 supervision requirements for certification under subsection (e) of this
173 section, as follows: (1) Any person hired by the Department of
174 Correction on or after October 1, 2002, for a position as a substance
175 abuse counselor or supervisor of substance abuse counselors shall be a
176 licensed or certified alcohol and drug counselor; (2) any person
177 employed by the Department of Correction prior to October 1, 2002, as
178 a substance abuse counselor or supervisor of substance abuse
179 counselors shall become licensed or certified as an alcohol and drug
180 counselor by October 1, 2007; and (3) any person employed by the
181 Department of Correction on or after October 1, 2007, as a substance
182 abuse counselor or supervisor of substance abuse counselors shall be a
183 licensed or certified alcohol and drug counselor.

This act shall take effect as follows and shall amend the following sections:

| | | |
|-----------|---------------------|--------|
| Section 1 | <i>from passage</i> | 20-74s |
|-----------|---------------------|--------|

PH *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

This bill does not result in a fiscal impact to the Department of Public Health (DPH) as it is not anticipated to alter the number of licensed alcohol and drug counselors (LADC) by DPH.¹ The bill requires that, in addition to existing certification requirements, applicants complete 360 hours of commissioner-approved education, at least 240 of which relates to the knowledge and skill base associated with the practice of alcohol and drug counseling.

The Out Years

State Impact: None

Municipal Impact: None

¹There were 38 new LADCs licenses issued by DPH in FY 11, 38 in FY 12 and 39 in FY 13 from 7/1/12 through 4/3/13.

OLR Bill Analysis**SB 1065****AN ACT CONCERNING LICENSED ALCOHOL AND DRUG COUNSELORS.****SUMMARY:**

This bill reinstates a requirement that alcohol and drug counselor licensure applicants complete 360 hours of education approved by the Department of Public Health (DPH) commissioner, including at least 240 hours relating to the knowledge and skill base associated with the practice of such counseling. PA 12-197 had eliminated the requirement.

By law, to become a licensed alcohol and drug counselor, an applicant must also:

1. complete 300 hours of supervised practical training in alcohol and drug counseling that the commissioner deems acceptable,
2. complete three years of supervised paid work or an unpaid internship that the commissioner deems acceptable that involves working directly with alcohol and drug clients (a master's degree can be substituted for one year of such experience),
3. pass a DPH-prescribed examination, and
4. generally have a master's degree and have completed at least 18 graduate semester hours in counseling or counseling-related subjects (the 18 graduate hours need not be part of the master's program).

EFFECTIVE DATE: upon passage

COMMITTEE ACTION

Public Health Committee

Joint Favorable

Yea 18 Nay 10 (04/01/2013)